

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No.: 23-cv-61256-JB

MONARCH AIR GROUP, LLC,

Plaintiff,

v.

JOURNALISM DEVELOPMENT  
NETWORK, INC.,

Defendant.

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**DEFENDANT’S MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF ITS  
OBJECTIONS TO MAGISTRATE’S REPORT AND RECOMMENDATION**

Defendant Journalism Development Network, Inc. (“JDN”) respectfully moves this Court for leave to file a reply brief of *no more than five pages* in support of JDN’s Objections to Report and Recommendation (ECF No. 173; the “Objections”), on or before June 30, 2025. In support of this Motion, JDN states:

1. JDN timely filed its Objections to the Magistrate’s Report and Recommendation, recommending denial of JDN’s Motion for Partial Judgment on the Pleadings as to Count II of the Complaint [ECF No. 172; the “R&R”]. In response, Plaintiff Monarch Air Group, LLC (“Monarch”) filed its response in opposition to JDN’s Objections [ECF No. 180; the “Opposition”].

2. The Clerk’s docket entry for Monarch’s Opposition indicated that “Replies [are] due by 6/23/2025.” Pursuant to S.D. Local Mag. J. R. 4(b), however, a reply is not contemplated or permitted. Accordingly, in an abundance of caution, JDN is requesting leave to file a limited reply in support of its Objections, and for a seven-day extension to do so.

3. In this regard, Monarch inaccurately characterizes JDN’s Objections and

misstates the nature of the Complaint's allegations (and lack thereof). JDN accordingly seeks a brief opportunity to clarify its arguments and the Complaint's allegations implicated in JDN's Objections, which are relevant for the Court's consideration of the R&R.

3. JDN currently is preparing its Motion for Summary Judgment, Statement of Materials Facts, and extensive supporting evidence to be filed on Monday, June 23, 2025, in compliance with the Court's scheduling order [ECF No. 151]. JDN accordingly seeks additional time to prepare and file its reply brief, should the Court grant leave to do so.

WHEREFORE, Defendant JDN respectfully requests that the Court grant this Motion and permit JDN to file a reply brief of no more than five pages in support of its Objections to the Magistrate's R&R on or before June 30, 2025.

**GOOD FAITH CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Undersigned counsel certifies that she conferred with counsel for Plaintiff concerning the relief sought in this motion, who advised that Plaintiff opposes such relief.

THOMAS & LOCICERO PL

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*Attorneys for Defendant Journalism  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this **18th** day of **June, 2025**, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all parties and counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronic Notices of Electronic Filing.

/s/ Dana J. McElroy  
Attorney